

### **Listing of Claims:**

The listing of claims below will replace all prior versions, and listings, of claims in the application.

- 1-41. (Canceled)
42. (Currently amended) An embryonated egg ~~less than ten~~ six to eight days old containing a recombinantly engineered influenza virus having a mutation in the NS1 gene that diminishes or eliminates the ability of the NS1 gene product to antagonize the cellular interferon response, wherein said virus is not influenza C virus.
43. (Canceled)
44. (Currently amended) An embryonated egg containing in the allantoic cavity an attenuated influenza virus having a mutation in the NS1 gene that diminishes or eliminates the ability of the NS1 gene product to antagonize the cellular interferon response, wherein the embryonated egg is six to ~~nine~~ eight days old and said virus is not influenza C virus.
45. (Currently amended) An embryonated egg ~~less than 10~~ six to eight days old containing delNS1.
46. (Canceled)
47. (Currently amended) The embryonated egg of Claim ~~41 or~~ 42, 44 or 45, wherein the egg is a six to ~~nine~~ days day old chick egg.
- 48-49. (Canceled)
50. (Previously presented) The embryonated egg of Claim 42 or 44, wherein the attenuated influenza virus is engineered to encode an epitope derived from another virus.
51. (Previously presented) The embryonated egg of Claim 42 or 44, wherein the attenuated influenza virus has a segmented genome comprising at least one segment derived from a different virus.
52. (Previously presented) The embryonated egg of Claim 44, wherein the attenuated influenza virus is genetically engineered.
53. (Previously presented) The embryonated egg of Claim 42 or 44, wherein the mutation in the NS1 gene is a deletion at the C-terminal of NS1.
54. (Previously presented) The embryonated egg of Claim 53, wherein the NS1 gene encodes truncated NS1 proteins consisting of amino acid residues 1-60, amino acid

residues 1-70, amino acid residues 1-90, amino acid residues 1-99, amino acid residues 1-100, amino acid residues 1-110, amino acid residues 1-120, amino acid residues 1-124, or amino acid residues 1-130 of the wild-type NS1.

55. (Previously presented) The embryonated egg of Claim 42 or 44, wherein the mutation in the NS1 gene is a deletion at the amino-terminal of NS1.

56. (Previously presented) The embryonated egg of Claim 42 or 44, wherein the influenza virus is influenza A or B virus.

57. (Previously presented) The embryonated egg of Claim 42 or 44, wherein the mutation in the NS1 gene is responsible for the attenuated phenotype of the influenza virus.

58-71. (Canceled)

72. (Currently amended) The embryonated egg of Claim ~~41 or 42~~, 44 or 45, wherein the egg is six to seven days old.

73. (Canceled)

74. (Previously presented) The embryonated egg of Claim 42 or 44, wherein the attenuated influenza virus is engineered to encode a foreign antigen.

75. (Canceled)

76. (Currently amended) The embryonated egg of Claim 42, 44 or 45, wherein the egg is six ~~to seven~~ days old.

77. (Canceled)

78. (Previously presented) The embryonated egg of Claim 42 or 44, wherein the attenuated influenza virus is engineered to encode a tumor antigen.